

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

United States of America

v.

Stephen Shipps

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Case No. 20CR20517-1

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at *(if blank, to be notified)* :

Zoom

Place

on 11/2/20 @ 1pm

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of _____
(See separate Agreement to Assume Custody of the Defendant).
- ☒ (7) The defendant must:
- ☒ (a) report, as directed, to:
 - ☒ Pretrial Services.
 - ☐ Probation Department.
 - ☐ (b) continue or actively seek employment.
 - ☐ (c) continue or start an education program.
 - ☐ (d) agree not to apply for or enter into any loan or other credit transaction without the previous written permission of the pretrial services office or supervising officer.
 - ☒ (e) surrender any passport to: Pretrial Services
 - ☒ (f) not obtain a passport or other international travel documents.
 - ☒ (g) abide by the following restrictions on personal association, place of abode, or travel:
 - ☐ Travel restricted to the Eastern District of Michigan;
 - ☐ Travel restricted to the State of Michigan;
 - ☒ Travel restricted to: Eastern District of Michigan
unless I have the previous consent of the pretrial services office, supervising officer or the court.
 - ☒ (h) avoid all contact, directly or indirectly, with any person who is or may become a victim or witness in the investigation or prosecution, including but not limited to:
 - ☐ List to be provided by U.S. Attorney;
 - ☐ Other persons: _____
 - ☒ (i) get medical or psychiatric treatment.
 - ☐ (j) return to custody each (week) day at _____ o'clock after being released each (week) day at _____ o'clock for employment, schooling, or the following purpose(s):

 - ☐ (k) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
 - ☒ (l) not possess a firearm, destructive device, or other dangerous weapons.

 - ☐ (m) not use alcohol:
 - ☐ at all.
 - ☐ excessively.

- ☐ (n) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☐ (o) submit to any testing required by the pretrial services office or supervising officer to determine whether the defendant is using a prohibited substance. Testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct or attempt to obstruct or tamper with the efficiency and accuracy of any prohibited substance screening or testing. _____
- ☐ (p) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- ☒ (q) participate in one of the following location restriction programs and comply with requirements as directed: _____
- ☒ (i) **Curfew.** You are restricted to your residence every day:
☐ from _____ to _____, or
☒ as directed by the pretrial services office or supervising officer; or
- ☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer; or
- ☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.
- ☒ (r) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
- ☒ You must pay all or part of the cost of the programs based upon your ability to pay as the pretrial services office or supervising officer determines:
- ☐ (i) Location monitoring technology as directed by the pretrial services office or supervising officer;
- ☐ (ii) Radio Frequency (RF) monitoring;
- ☐ (iii) Passive Global Positioning Satellite (GPS) monitoring;
- ☒ (iv) Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS);
- ☐ (v) Voice Recognition monitoring.
- ☐ (s) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning or traffic stops.
- ☒ (t) May have access to a cell phone provided that its an Android Phone and the phone will have monitoring software installed by Pretrial Services; Will be required the pay the cost of the software monitoring if directed by Pretrial Services . Patriciate in treatment for specialize services and pay a copay as deemed necessary

- ☒ (u) agree not to obtain, view, or possess any sexually explicit, sexually graphic, or erotic materials including images, movies, and print material in any form.
- ☒ (v) agree not to have contact, either telephonically, verbally, or through written material, or through any third party with the victim or any of the victim's immediate family members.
- ☒ (w) agree to have no contact with minor children under the age of eighteen (18), and not to reside in any household where the victim(s) or minor children live, and not to obtain employment or participate in any volunteer activity during which there is unsupervised contact with minors under the age of eighteen (18).
- ☐ (x) unless prohibited by another Judicial Officer, the defendant may have supervised contact with his/her minor children.
- ☐ (y) agree not to visit any areas within 100 yards of any school, day care center, park, or other place where children congregate.
- ☒ (z) agree to only reside in a residence approved, in advance, by the pretrial services office or supervising officer. Any changes in the residence must be pre-approved by the pretrial services office or supervising officer.
- ☒ (aa) agree to participate in the computer restriction/monitoring program and abide by all rules and requirements of the program which:
- (i) ☒ will
☐ will not
allow the use of computers or connected devices at
☒ home;
☒ for employment purposes; or at any location.
- (ii) ☒ will
☐ will not
permit access to the Internet (World Wide Web, FTP Sites, IRC Services, Instant Messaging).
- (iii) ☒ will
☐ will not
require the installation of monitoring software by the pretrial services office or supervising officer on any computer you have access to;
- (iv) ☐ will
☐ will not
require that you permit the search of your vehicle, residence (to include, buildings or structures attached to or located at the residence address) and/or computer by the supervising officer or designated pretrial services personnel to assist in ensuring compliance with these conditions.
- ☐ (bb) will not patronize or be in or around places where sexually explicit materials or stimuli are available (i.e. nude dancing clubs, pornography shops, etc.).

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

X Stephen Shypps 10/29/20
 Defendant's Signature
Dorchester, MA
 City and State

Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: October 29, 2020

s/R. Steven Whalen
 Judicial Officer's Signature

R. Steven Whalen, U.S. Magistrate Judge
 Printed name and title